IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 12TH SEPTEMBER 2007 / 21ST BHADRA 1929

WP(C).No. 16878 of 2007(H)

PETITIONER:

SMT. THRESSIA, W/O. JOSEPH, AGED 63,
CHUNDATH, KIDANGANAD, VADAKKANAD,
SULTHAN BATHERY, WAYANAD DISTRICT.

BY ADV. SRI.C.P.RAVIKUMAR

RESPONDENTS:

SULTHAN BATHERY BLOCK PANCHAYATH,
SULTHAN BATHERY, WAYANAD, REPRESENTED BY
ITS SECRETARY.

2. THE OMBUDSMAN FOR LOCAL SELF GOVERNMENT INSTITUTION.

(R2 IS IMPLEADED AS PER THE JUDGMENT)

BY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO.16878/2007

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1; COPY OF THE AWARD OF THE LOK ADALAT DATED 19.1.2006.

EXT.P2; COPY OF THE ORDER OF THE OMBUDSMAN FOR LOAL BODIES.

EXT.P3: COPY OF THE REQUEST SUBMITTED BY THE PTITIONER BEFORE THE RESPONDENT.

/TRUE COPY/

P.A. TO JUDGE.

PIUS C. KURIAKOSE, J.

W.P.(C) NO.16878 of 2007

Dated this the 12th day of September, 2007

JUDGMENT

The Ombudsman for Local Self Government Institution is impleaded as additional 2nd respondent in the writ petition suo motu. The office will carry out necessary corrections in the cause title.

2. I do not propose to go into the merits of the matter or examine the genuineness of the petitioner's grievance. Ext.P3 complaint seems to be pending before the Ombudsman. The allegation in Ext.P3 is that undertakings given before the Ombudsman are being violated and that the situation of the Panchayat not putting up the retaining wall, as undertaken, is resulting in considerable injury to the petitioner and similarly placed persons.

3. Since Ext.P3 is seen pending before the Ombudsman for Local Self Government Institutions, I dispose of the writ petition permitting the petitioner to place a copy of this judgment before the Hon'ble Ombudsman and file an interlocutory application seeking early orders on Ext.P3. If any such application is received by the Ombudsman for Local Self Government Institution, appropriate orders,

having regard to the grievance voiced by the petitioner, will be passed by the Ombudsman at the earliest.

PIUS C. KURIAKOSE,
JUDGE.

Dpk